

Standard 13

Direct Payments for Employing Personal Assistants

Guidance

Helpful
Practice
Resources



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Introduction

Standard 13 is the new Self-directed Support Standard that focuses on fair and equitable provision for Personal Assistant (PA) employers.

Standard 13 adds to the existing twelve Standards in the [Self-directed Support Framework of Standards](#). These Standards describe what good Self-directed Support looks like and were designed to align with the [Self-directed Support statutory guidance](#) to support system change, implementation, practice and consistency of outcomes experienced by supported people (children and adults) and unpaid carers across Scotland.

As with the twelve foundational Self-directed Support Standards, Standard 13 was co-produced by a diverse range of stakeholders and endorsed by both Scottish Government and the Convention of Scottish Local Authorities (COSLA). Acknowledging the current challenging context, the full implementation of all Self-directed Support Standards is progressive and will include making collaborative decisions about which core components are a local priority in terms of improvement, and the resources required.

The Standard 13 practice guidance offers practical resources, case studies and reflections from stakeholders to support practitioners and organisations to deliver fairer and more equitable provision for PA employers. This guidance acknowledges the current 'hot topics' in both the changing context and the challenges of implementation of Self-directed Support Option 1.



Hot Topic Symbol

Standard 13, the easy read version, and the accompanying guidance was co-produced by Self-directed Support stakeholders including PA employers, Disabled People's Organisations, independent support organisations and local authorities as part of the [PA Programme Board](#).

Who is this guidance for?

The guidance is for everyone who has a role in supporting the use of direct payments by disabled people, families and unpaid carers to employ Personal Assistants to achieve independent living.

What is Standard 13?

Direct payments, when adequately resourced and well supported, can be a vehicle for self-determined support to flourish. Standard 13 describes good practice in promoting and supporting direct payments for employing Personal Assistants. For this reason, we invite you to share this guidance with colleagues across all teams, including teams working with groups still developing Self-directed Support as mainstream practice.

We believe that direct payments are best supported through collaboration, and this guidance is aimed at all stakeholders with an interest in, and a role in, improving support for PA employers. This includes social workers, social work assistants, social care workers with assessment responsibilities, finance departments, commissioners, legal departments, implementers and leaders across social work, third sector organisations, Disabled People's Organisations, direct payment holders, Self-directed Support information and advocacy organisations, PA employers, Personal Assistants, disabled people

and family carers, insurance providers, payroll services and more. Throughout this guidance our key stakeholders reflect on their experience and share their advice.

This guidance will draw on several key pieces of legislation and statutory guidance and connect areas of practice with relevant national organisations and bodies that can support further development.

Key legislation informing this guidance

- NHS and Community Care Act (1990), amending the Social Work Scotland – founding legislation.
- Carers (Scotland) Act 2016 and statutory guidance.
- Adults With Incapacity (Scotland) Act 2000.
- Children (Scotland) Act 1995, Children and Young People (Scotland) Act 2014.
- Protection of Vulnerable Groups (Scotland) Act 2007.
- Social Care (Self-directed Support) (Scotland) Act 2013.
- Self-directed Support (Direct payments) (Scotland) Regulations 2014.
- Social Care (Self-directed Support) (Scotland) Act 2013: statutory guidance.
- The Adult Support and Protection (Scotland) Act 2007.

A brief history of direct payments

Authored by Jim Elder-Woodward in February 2025

In the International Year of People with Disabilities, 1981, a small group of disabled people in a Leonard Cheshire Home, in Hampshire, learned about a new way of living in the community. This was called independent living whereby disabled people took control of their own support system, with grants from their local/national governments. Independent living programmes, which started in California, had swept across the USA, Scandinavia and parts of Europe – but not the United Kingdom. Project 81, as it was called, harmonised with the political ideology of the day; self-reliance and a smaller state. The group moved out of residential care, finding houses in the community and Personal Assistants to support them within those houses and the community at large. At the same time Project 81 worked with the British Council of Organisations of Disabled People (BCOPD) to develop a network of peer-support groups called Centres for Independent Living (CILs). These would advocate for independent living, whilst supporting local people to manage their budgets, as well as their tax and HR issues.

Concurrent with the growth of CILs, and the awareness of independent living, changes within the social security system unexpectedly, and consequently, gave a spur to the development of independent living. The Social Security Act of 1986 introduced Income Support. This benefit was introduced without the Domestic Care Allowance, which in the previous social security legislation, gave money to recipients, to employ someone to support them. This caused such a rage amongst people within the Disabled People's Movement, that the government decided to establish a charity, called The Independent Living Fund in 1988.

It was thought this would only support a few people. However, its popularity blossomed during the years 1988–1993. So, in 1993 the fund was closed, and a new fund opened – the Independent Living Fund '93 (ILF '93). To gain access to this fund, the person had to have support from their local authority, amounting to £350 per week.

In Scotland, independent living was still not realised. The Social Work (Scotland) Act of 1968 forbade local authorities from handing out fiscal resources to people (except in specific circumstances through the use of section 12 payments). Local authorities were in the main only able to provide services. This gave disabled Scots much difficulty of living independently. Eventually, a few local authorities decided to address this issue. They would give money to a third body, and that body could then pass the money onto the individual. And so, indirect payments were provided to help people take control of their own support, and make their own decisions about how, where, and with whom they wish to live their lives. The money they got spurred them into action. More disabled people in Scotland got indirect payments. By 2015 the UK Government decided to close the ILF '93 and give the money to local authorities. There was no ring-fencing around this money, so many lost their funding, due to the money being spent elsewhere.

In Scotland, disabled people persuaded the Scottish Government not to pass on the ILF '93 to local authorities. Instead, it was asked to create another [Independent Living Fund in Scotland](#) (ILFS). This they did, but it was to be a closed fund, meaning no-one other than the existing ILF '93 recipients could

be supported. By 2024, The Scottish Government re-opened the Fund.

In Scotland, independent living is referred to as Self-directed Support. The Social Care (Self-directed Support) (Scotland) Act, 2013 sets Self-directed Support as **the default position** of social care support. That means the supported person should be informed about, and have the choice between the following options:

Option 1: A direct payment: The supported person arranges their own support using a budget provided by the authority. The budget can be used to employ staff and/or purchase goods and services.

Option 2: The supported person uses the budget provided by the authority to choose goods and services, and then the support is arranged on their behalf. This can be arranged by the local authority, or a third party (such as a support provider) can manage the money on behalf of the supported person.

Option 3: The supported person asks the local authority to choose and arrange the support that it thinks is right for them. The supported person is not responsible for arranging support and has less direct choice and control over how support is arranged.

Option 4: A combination of the above three: the supported person can choose to mix the above options to suit them.

Social Care (Self-directed Support) (Scotland) Act 2013 statutory guidance was developed in 2014, and later updated in 2022, to offer statutory guidance of how to implement Option 1 of the 2013 legislation.

As the state takes ownership of independent living, through Self-directed Support legislation and guidance, it should not be forgotten that such thinking and practice came from disabled people. Many had experienced the incarceration of residential care; and those who had not, had experienced the confinement and domination of community care. They had come together to fight for the right to live in the community as valued, participative citizens. They had looked upon social care support, not as a safety net, but, as the Independent Review of Adult Social Care recommends – a springboard to their active participation as equal citizens; be that economic, civic, social, or familial participation. Therefore, their quest for freedom and personal control over their lives and lifestyles should be valued and upheld in any attempts to manage and regulate Self-directed Support.

Clear and accessible information

For more information about how clear, accessible and inclusive information is described, please go to [Standard 13](#) Core Component 13.1

Standard 1: Independent support, community brokerage and advocacy


Standard 7: Flexible and outcome focused commissioning

Standard 9: Transparency


Social workers have a wide range of skills and expertise that they can draw on to support PA employers but they should not be expected to be experts in employment law. It is important that social workers understand key aspects of the PA employer role including eligibility to become a PA employer, the duties that come with employing a Personal Assistant, and the support available locally and nationally to manage those duties.

At the core of Self-directed Support is choice, and it is important that anyone eligible for support has access to information about all four options, regardless of what assumptions could be made about whether a direct payment is the right choice for them.

The provision of high quality, accessible and consistent information is a joint effort, and an active collaboration between the social work workforce, the communities they serve, independent support organisations, Disabled People's Organisations, national bodies and people who access support and their families. Social workers have an important role in guiding people who are considering PA employment towards information and support that works for them.



You don't need to do this on your own. Support is everything, just having that anchor of someone you can go to that knows the stuff... The staff are really really passionate, they really care about their jobs, and that was evident. – **PA employer** talking about the importance of support.



In these early conversations, it may also be useful to discuss social care charges in your local authority, as these can be a barrier to many people accessing support. – **PA employer**.

Training on Self-directed Support for the social work workforce is particularly important, and one of the active workstreams being led by the Self-directed Support Team at Social Work Scotland.

Self-directed Support training for social workers is particularly important and is one of the key outcomes of the national Self-directed Support Improvement plan.

It is best practice to include people who access support and their families in the development of information. To ensure that the information you are developing is easy to understand, PA employers and families should be involved in the development and piloting of new resources.

It can be useful for people to see how direct payments work, and how having a Personal Assistant differs from other ways of accessing support.



[Cailean's Story](#): how having a Personal Assistant helps Cailean, who is on the autism spectrum, to access a mainstream college course.

I saw the difference, all the good it could do, her reaction to her Personal Assistant and that they had a good rapport, and it was getting stronger and stronger. I saw the benefits on both sides. I wanted to move forward and not backwards. – **PA employer talking about the importance of meeting another PA employer.**



Equality Impact Assessments can help your team to consider how changes in policies, procedures or information will impact on different groups of people accessing support and their families. You may also want to review the Self-directed Support Learning and Improvement Framework Tools, specifically the [Impact tool](#).

Don't be afraid to ask questions of your colleagues and leaders, it's important to understand everything to be able to answer questions. – **Social worker.**



Video content can be an easier way to share information, and gives people the opportunity to review information on their own as many times as they need to. See this [example resource](#) developed by SDS Forth Valley on employment law.



Links to helpful resources

- [Accessible information on Self-directed Support report](#) from The ALLIANCE.
- [MECOPP Self-directed Support information](#) available in Cantonese, Bengali, Punjabi and Urdu.
- Disability Scotland's [Inclusive Communication Hub](#).
- [Easy Read Online](#).
- [Communication aids and augmentative and alternative communication](#) (AAC) from Sense Scotland.
- BSL Video on Option 1:
[Part 1](#)
[Part 2](#)
- [SDSS 'What is Self-directed Support?' informational video](#).

Assessment and review

For more information about how assessment, support planning and review processes are described, please go to [Standard 13](#) Core Component 13.2

Standard 1: Independent support, community brokerage and advocacy

Standard 3: Strengths and asset-based assessment, planning and review

Standard 4: Meaningful and measurable recording practices

People have the right to information and support to help them to come to a decision about becoming a PA employer. It is important for social work professionals to link where possible with independent support organisations who can offer individualised support and information for people making that decision.

It's OK to be honest and say that this direct payment thing is really scaring me at the moment, but if you just bear with me, I can get there. I just need the time. It is important that the would-be PA employer and the social worker work on this together. Disabled people are just people – we can feel nervous, anxious and we should be seen no differently from anyone else. We should get to feel that way.

*– PA employer
talking about the
importance of time
and empathy.*



In the Scottish Borders, [Encompass](#) offers support to people before they access social work assessment. This support is focused on preparing for the assessment process with access to good quality information. This programme of support was developed based on feedback that disabled people felt unprepared for assessment, did not feel they had the opportunity to ask questions, and didn't know what they would be asked. During the pre-assessment process, people are supported to think about:

- What are my choices and are there areas in my life where I need support?
- What matters to me?
- What is already working well in my life?
- What will my assessment look like?
- Am I eligible and is the support free?

There are natural supports too, it's about looking out for those other supports in the community. I have a dog walker, they go out and let the dogs off the leash, do things I couldn't do with them, go out on adventures. He [dog walker] doesn't understand disability or anything like that, but he really is learning. I told him I long to see the dogs out and about running around, so he puts photos up and I can see them, see the dogs running around.

- PA employer talking about community and natural supports.



We've heard that people are more and more being told that the only way to get supports is to hire a Personal Assistant, or that they will have to wait much longer for Options 2 and 3. Commissioners and senior managers have a role in monitoring that choice is always being offered, and that they are doing all they can to enable choice for people. -

Independent support organisation talking about restrictions to choice.



Reviews are an important touchpoint for both the supported person and the social worker. Reviews offer the opportunity to celebrate successes, explore how the person and their outcomes may have changed, and develop a plan for the future. Reviews are also an opportunity to revisit the four options and check in with the person about the level of choice and control they would like to have, and what support they need to help them to manage that.

Reviews are different to direct payment audits, which focus on how a direct payment budget is spent rather than a person's outcomes and how they have changed. It is important to distinguish between these two functions, so that direct payment holders know whether they are being contacted for a review or an audit.



We recognise that in some areas, all four options of support may not be available to supported people. This may be

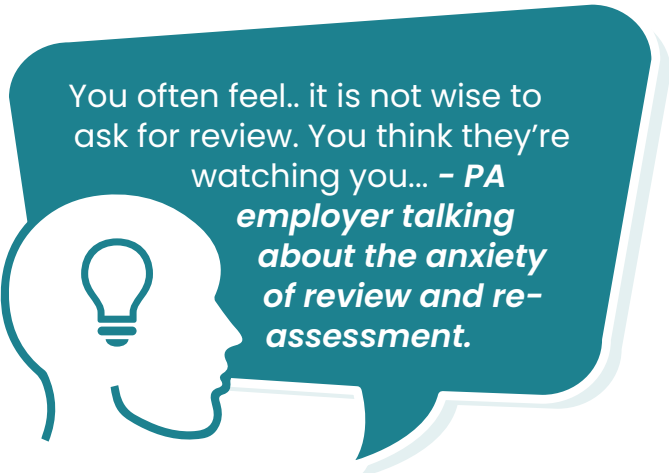
because of rurality, population needs, workforce capacity, and other strategic commissioning barriers. However, it is still important to record and report a person's preferred choice, even if this is not available to them at the time of assessment. A lack of recording about how choices are being reached can make it harder to understand the big picture of unmet need.

There should be no assumption that the Scottish Government, local authorities or social workers consider any option as a preferred or default option, only that the supported person can choose the option that works best for them, in accordance with the level of choice and control they want to have - [Social Care \(Self-directed Support\) \(Scotland\) Act 2013: Statutory Guidance](#).


The approach taken at review should be similar to the approach taken at initial assessment. In other words, it should be conducted in line with the principles of collaboration, informed choice and involvement, with adequate time given for the supported person to prepare for the review – [Social Care \(Self-directed Support\) \(Scotland\) Act 2013: Statutory Guidance](#).

The authority should aim to conduct reviews within a maximum period of 12 months. It should consider the review as a means by which to prevent crisis or to respond and adapt to the supported person's life – [Social Care \(Self-directed Support\) \(Scotland\) Act 2013: Statutory Guidance](#).


Sometimes PA employers can feel anxious about reviews, and worried that their direct payment will be cut.



You often feel.. it is not wise to ask for review. You think they're watching you... – **PA employer talking about the anxiety of review and re-assessment.**



When a new direct payment is initiated, we send out a letter 12 weeks in advance of the first review, existing direct payment reviews are given two weeks' notice. We try to be really clear about the purpose of the review, what information we need and how to get ready. We find that once we open up a good conversation with the supported person, and they realise our role in the process, some of that anxiety does get better. Our hope is that reviews are a way to open up a dialogue with PA employers, who will then reach out with questions or when things change. – **Social work finance colleague talking about positive communication.**



If other staff teams are involved in reviews, such as finance assistants or social work assistants, dedicated learning time to access Self-directed Support training and development opportunities is key to consistent practice. – **Social work leader talking about access to learning and development.**

The Carers Act (2016) outlines the right of carers to access the Adult Carer Support Plan to identify outcomes and supports needed to effectively manage direct payments. Close relationships with your local Carers Centre are important to ensure that the voice of carers is being heard.

In Control Scotland has been funded to create a Person Centred Planning Academy of disabled adults and unpaid carers to deliver person-centred plans for disabled young people. More information about the academy is available [here](#).

Links to helpful resources

- [Person Centred Thinking Tools](#) from Helen Sanderson Associates.
- Thinking about your Support Plan: A [workbook](#) to help you think about and develop a support plan by In Control Scotland.
- [ARC Scotland Compass Tool](#) 'A Compass for transitions: Free online tools for young people with additional support needs and the adults in their lives'.
- In Control Support planning graphic: [5.0 Support Plan Graphic](#).
- [Risking a real life](#) – a resource from In Control.



Direct payment budgets

For more information about how sufficient budgets enable PA employers to achieve their outcomes, please go to [Standard 13](#) Core Component 13.3

Standard 10: Early planning for transitions

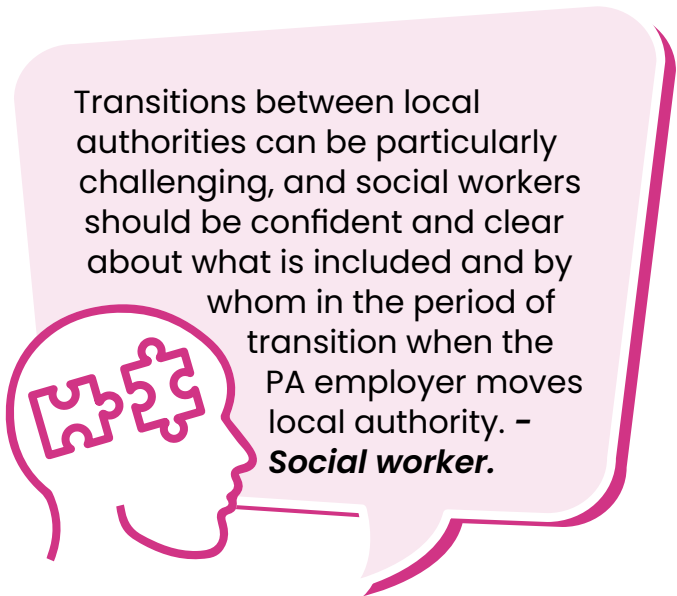
Standard 11: Consistency of practice

Standard 12: Access to budgets and flexibility of spend

Local authorities across Scotland are facing unprecedented financial pressures and having to manage increasingly complex needs with fewer resources. Ultimately, local authorities hold responsibility for setting budgets for direct payments. However, best practice is to make sure that direct payments are sufficient to support the PA employer to achieve their outcomes, and to be a good employer to their Personal Assistants.

Parity in [terms and conditions for Personal Assistants can contribute to improved wellbeing](#) and staff retention. This includes, where possible, continuation of terms and conditions when a Personal Assistant is continuing to support a young person who has moved from being supported by children and families into adult social care teams.

Where this is not possible, direct payment holders need to be told in advance that this will not be possible and supported to share this information with their Personal Assistants and seek further advice.



Transitions between local authorities can be particularly challenging, and social workers should be confident and clear about what is included and by whom in the period of transition when the PA employer moves local authority. – **Social worker.**

Changes to costs associated with the recruitment, employment and retention of Personal Assistants (including Protecting Vulnerable Groups (PVG) scheme, payroll services, insurance, National Insurance contributions and increases to the Living Wage) should be monitored and discussed across social work teams to ensure that direct payment budgets continue to adequately cover the supports that maintain the PA employer–Personal Assistant relationship. An offer of wraparound support for PA employers needs to be clearly articulated at the beginning of an assessment process and should include the offers of support available through insurance companies and payroll.



Legislation notes that people have a choice about whether they receive the direct payment into a bank account or through a pre-payment card in areas where this is available. We recognise that in some local authorities, this choice is not being made available and this should be re-examined in light of statutory requirements. In local authorities where this choice is not available, it is important to offer support for people in receipt of direct payments to have control over their pre-payment card. This includes ensuring that people have accessible information about pre-payment cards and supporting direct payment holders to overcome barriers to using these pre-payment cards.



In May 2019, the Scottish Borders Self-directed Support forum made a participation request to Scottish Borders Council after the local authority decided to introduce pre-payment cards without adequate consultation. More information on this process and how it led to improved choice and communication is available [here](#).

It is important to recognise that the reason disabled people and their families wish to engage Personal Assistants is to enable them to live full lives.

Someone said to me 'Oh your Personal Assistant has made you very independent'. They don't understand what independent living really means, they think it's about getting to the toilet and holding a glass of water. But my independence is about having my voice heard, doing the things I want to do. I was very independent before, but [my Personal Assistant] helps of course. – **PA employer talking about independent living.**



Investment in independent support can help direct payment holders to find the right Personal Assistants and manage the responsibilities of being a PA employer. Including the costs of these support services is an investment in the PA employer-Personal Assistant relationship.

– **Independent support organisation talking about adequate budgeting.**



Link to helpful resource

- [The Chartered Institute of Public Finance and Accountancy \(CIPFA\) Guidance notes on SDS.](#)

Independent Living Fund Scotland (ILFS)

For more information about how social work practitioners are encouraged to engage with the Independent Living Fund Scotland, please go to [Standard 13](#) Core Component 13.4

Standard 1: Independent support, community brokerage and advocacy

Standard 3: Strengths and asset-based assessment, planning and review

Standard 9: Transparency

It is important for social workers, ILF assessors and award managers to work together and alongside the PA employer to reduce bureaucracy and streamline the ILF assessment process for PA employers.

Where possible, local authorities should seek alignment and consistency in pay and conditions for Personal Assistants employed through both ILF funds and local authority funds.

ILF Scotland are available to answer specific questions on how the fund operates. Visit [ILF Contacts](#) to see who to contact for your area.

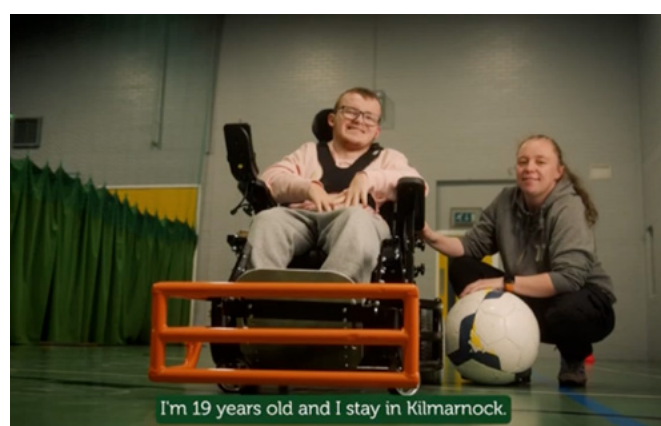
ILFS in some ways is a different way of working than we're used to – talking about additionality may feel out of the norm. We're hosting learning sessions across teams to connect more with ILF Scotland, and make sure we are not missing opportunities for potential applications. – **Social work finance colleague.**

Payroll companies are often a useful resource in the management of direct payments funded through ILFS.



[View Rhys's Story.](#)

You can also view other case studies [here](#).



Direct payment agreements

For more information about how direct payment agreements are described, please go to [Standard 13](#) Core Component 13.5

Standard 7: Flexible and outcome focused commissioning

Standard 9: Transparency

Standard 12: Access to budgets and flexibility of spend

Direct payment agreements are legal agreements developed by each local authority and are an opportunity to clearly explain key functions and responsibilities associated with receiving a direct payment, including:

Clear explanations of the responsibilities of the local authority and PA employer.

Information on how the direct payment can be used flexibly to enable choice, in alignment with the core principles underlying Self-directed Support.

We recognise that direct payment agreements may have legal and technical language that may not be possible to explain in easy read, so it is important to take the opportunity to explain key terms or tricky language. Direct payment agreements should be accompanied with accessible information detailing what support is available from local and national support organisations including independent support organisations, carers centres, insurance providers, payroll services, community groups, PA Network Scotland, SDSS, ILFS and Disclosure Scotland.

We have included an appendix to our direct payment agreement that clearly outlines what funds cannot be spent on. Whilst the agreement shares what the funding can be used for, we can also confirm the agreed purpose which has been determined through good conversations that result in good quality support planning. – **Social work finance colleague.**

We have a short briefing video available on our intranet that all staff can access that talks through all elements of the direct payment agreement, and answers common questions. It's a useful refresher for teams who may process fewer direct payments and means that we all have a clearer understanding of the direct payment agreement. – **Social work team talking about the importance of building staff confidence.**

If you are interested in ongoing work to develop direct payment agreements, you can connect with the Self-directed Support Standard 13 Community of Practice by contacting: sds.team@socialworkscotland.org

Appropriate and inappropriate use of direct payments to hire Personal Assistants

For more information about identifying when a direct payment for employing Personal Assistants is not appropriate, please go to [Standard 13](#) Core Component 13.6

Standard 1: Independent support, community brokerage and advocacy

Standard 3: Strengths and asset-based assessment, planning and review

Standard 4: Meaningful and measurable recording practices

Standard 5: Accountability

Standard 6: Risk enablement

Standard 12: Access to budgets and flexibility of spend

We would be curious about whether a direct payment to employ a Personal Assistant is working if we noticed patterns around Personal Assistant staff turnover. It is important to note that when an employer isn't managing their responsibilities for their Personal Assistant, this can have a longer-term impact on the Personal Assistant workforce. – **Independent support organisation**

talking about noticing when employers need more support.

It is important to be aware of the local and national resources available to support PA employers, and at what stages of the direct payment journey these organisations can offer support. You may wish to use the Self-directed Support [journey map](#) to map out what support is available at key stages in the PA employment journey locally.

A direct payment may not be appropriate at the point of assessment, but social workers are still encouraged to refer people to independent support organisations locally who may be able to offer support and build the capacity of the person to be able to take on the role in the future.



While some people feel positive engaging a family member as a Personal Assistant, there are careful considerations that need to be explored with the supported person before that choice is made. Feedback from social workers and legal teams is that the [Self-directed Support statutory guidance](#) has created a 'grey area' for local authority practice around how power of attorney and guardianship impact on a family members' eligibility to be employed as a Personal Assistant. The issue is outlined in p. 63–65 of the statutory guidance, but we encourage an open dialogue locally to develop policies to address this.

Cuts to budgets, recouping of funds or termination of direct payments are actions that should not be taken without discussion and consultation with the direct payment holder. See [Self-directed Support Framework of Standards](#), especially Standard 12: Access to budgets and flexibility of spend. Direct payment holders have the right to use their budget flexibly, and open lines of communication can support this flexibility.

While digital access can be a barrier for some PA employers, there are many ways to successfully manage a direct payment.

If a direct payment is terminated because of the death of the recipient, it is important to take the time to ensure that the responsibilities of the PA employer have been met before the payment is recouped (for example, any notice pay, hours worked, redundancy package or annual leave).

I don't do online banking; I just don't do it. I can't see very well so I need things on paper. I do it like I've done it from the very beginning, and I do it all paper, but I don't do it all myself, my Personal Assistant has experience from other jobs and she is very happy to help. If you're thinking I can't do that it's too complicated, there's always someone to help with that, if you reach out. It's your right to do it the way that works with you. I got large print letters from social services and the bank. But you do need to have a good understanding of employment law, insurance, it's your home so you are responsible. – **PA employer talking about barriers to technology.**



Personal Assistant recruitment

For more information about locally coordinated support for the recruitment and support of Personal Assistants, please go to [Standard 13](#) Core Component 13.7

Standard 1: Independent support, community brokerage and advocacy

While local authorities are not responsible for the recruitment of Personal Assistants, they do have a vital role in creating conditions to support Personal Assistants into the workforce. [Evidence suggests](#) that increasing the pool of Personal Assistants available to direct payment holders can enhance choice and improve relationships.

Local authority teams, independent support organisations, insurance companies and payroll providers should connect where possible to explore emerging trends and barriers in Personal Assistant recruitment, as well as potential risks that need to be addressed in direct payment calculations (for example, changes to NI contributions or increased job advertisement costs). Having connections with local Personal Assistants means you can connect them to potential opportunities and even develop a local 'pool' of Personal Assistants seeking work.

Agencies were coming in and it wasn't working at all for me, and I wanted choice, and an individualised team for me. I needed to find a core team of four people and a pool for cover. When I went into the process, I had an idea of what I wanted, but once I got into it, I realised very quickly I had some wrong stereotypes. I wanted to interview people, really interview them not have someone else hire them and they just came in. – **PA employer talking about the challenges of recruiting PAs for the first time.**

PA employers may need access to independent support for the recruitment process and at first, the process may feel overwhelming without some guidance from people who have been through it all before. – **Disabled Person's Organisation talking about the importance of independent support for recruitment.**



From 1 April 2025, an amendment to the Disclosure (Scotland) Act 2020 means that Personal Assistants in Scotland will

legally be required to join the PVG scheme. The only exceptions to this new rule are:

- Where the Personal Assistant is carrying out the role as part of a family relationship.
- Where the Personal Assistant is carrying out the role as part of a personal relationship and where there is no commercial gain for the Personal Assistant.

For up to date information about what this means for PA employers, visit the [PA employer handbook](#).

Bureaucracy, including asking PA employers and Personal Assistants to fill in the same paperwork more than once, can be a significant barrier to effective Personal Assistant recruitment. Local authorities may want to connect with independent support organisations to undertake an audit of all the forms and procedures currently required as part of recruiting and employing Personal Assistants. While some systems may not be open to change, recognising the different demands through the process can help PA employers to understand what to expect, and where to seek support to manage those responsibilities.



We are aware of a rise in self-employed Personal Assistants, which remains a new area of development that requires more research.

To raise questions about self-employed Personal Assistants, or share any relevant local practice, link in with [The PA Programme Board](#).

Link to helpful resource

- [The SDSS Personal Assistant Recruitment Toolkit](#).

Personal Assistant employer training

For more information about securing PA employer access to training and support of, please go to [Standard 13](#) Core Component 13.8

Standard 6: Risk enablement

Standard 12: Access to budgets and flexibility of spend

Training and development for PA employers includes more than formal training. Access to peer learning spaces can support good employment practices.

Social workers should be confident in having a conversation about the training needs of both employer and Personal Assistant and have an awareness of how these may be met. Training discussions should be part of review processes and should be revisited whenever a new Personal Assistant is employed, or when a Personal Assistant returns to work following a period of absence.

Best practice is to include the cost of training in direct payment budgets, which is more than just the cost of training attendance. It may be useful to consider this checklist when calculating the 'true cost' of training to the direct payment package:

- ☐ Type of training
- ☐ Staff time costs
- ☐ Staff cover costs
- ☐ Course costs
- ☐ Equipment
- ☐ Venue costs
- ☐ Employer time
- ☐ Travel costs
- ☐ Food/drink costs
- ☐ Personal Assistant & PA Employer review time
- ☐ Team meetings

Some PA employers are not in the headspace to attend training when they are still worried about getting staff settled into post, so it is important to keep making the offer, without making training mandatory. – **Independent support organisation talking about the right support at the right time.**

I wasn't on Teams and now I am – I can monitor the stuff that I need to do and so can my mum. I can email out and post on teams, I don't need to email managers and have them pass it on. – **PA employer talking about using technology to manage Personal Assistants.**

Some training providers can offer much more flexibility, for example we have a local organisation that offers moving and assisting training in your own home, so it's tailored to your environment which is much better. – **Independent support organisation.**

Personal Assistant training

For more information about Personal Assistant training and support of, please go to [Standard 13](#) Core Component 13.9

Standard 6: Risk enablement

Standard 12: Access to budgets and flexibility of spend

[Evidence suggests](#) that access to training for Personal Assistants can enhance their wellbeing and make them feel valued in their role. Local support organisations can often signpost to available training for Personal Assistants and can share reviews from other PA employers about the quality of training being delivered. Personal Assistants may also hear from other Personal Assistants about training opportunities they may want to raise with their employers through local networks, Facebook groups and national organisations like PA Network Scotland.

PA employers have a central role in training their staff and directing them to more formal training that they feel is necessary for their role.

The most recent figures show that [21% of Personal Assistants consider themselves to be disabled or have a long-term health condition](#). So it is important to consider what barriers need to be removed to offer Personal Assistants equitable access to learning, including accessible venues, learning materials in different formats.



Some Personal Assistants are working in roles that include some healthcare tasks (like administering medication and PEG feeding care). There is not always consistency on what training is mandatory for these tasks from the perspective of the employer, the Personal Assistant, the

local authority and the insurance provider. This is an area that requires further attention.



- Personal Assistant and their employer talking about attending training together.

Links to helpful resources

- [The PA Employer Handbook](#).
- Two new [training modules for PA employers](#) can offer a starting point for employers and a playlist [Training for Trainers YouTube playlist](#).
- The [SDSS Find Help and Training Locator tool](#) is available for employers to find local independent organisations/training providers who can offer support, information and training.

Leadership

For more information about the role of leadership in creating conditions that have a positive impact on the PA employer, please go to [Standard 13](#) Core Component 13.10

Standard 5: Accountability

Standard 6: Risk enablement

Standard 9: Transparency

Leadership has a vital role creating the conditions for person-centred, flexible, co-produced approaches to Self-directed Support across the health and social care system. Leadership spans all the stakeholders responsible for the effective delivery of direct payments. Leaders include anyone making decisions that impact on the PA employer, including staff on funding panels, anyone with responsibility for financial or legal decisions and anyone who could act as a gatekeeper to PA employment.

Disabled people and their families can also be leaders, and many have extensive experience of successfully managing direct payments.

I learned about Self-directed Support before legislation, then legislation came in and now 10 years later I'm still having this conversation about what my rights are. I am in a very fortunate position... that I was doing the test site, I know all that stuff. But I'm still hearing conflicting messages. People still don't know what Self-directed Support

is. – *PA employer talking about their expertise in Self-directed Support.*

Self-directed Support focuses on individual outcomes and should take an individual and personalised approach to ensure choice and control is maximised. However, **consistent and transparent** decision-making can enhance trust in leadership and provide more clarity in decision-making across the system.

We were invited to attend interviews for a new Self-directed Support lead post, alongside a representative from the carers centre, which felt like recognition of our expertise in Self-directed Support. – **Independent Support Organisation talking about being recognised by their local authority.**



Leadership may wish to have listening sessions with frontline staff and people who access support about key sticking points in current direct payment processes and how these are currently being addressed, or should be addressed. Across Scotland, local leaders have a central role in elevating implementation challenges to national forums, to promote debate and discussion.

Leaders have a role in attending to all feedback, including complaints, to foster a culture of ongoing responsiveness and learning. While challenging, complaints can offer vital data to supporting Self-directed Support implementation.

Self-directed Support is grounded in the principles of active citizenship. Engagement in local democratic processes, including easy access to Councillors, can support this. Connecting closely with [Community Planning Partnerships](#) and COSLA can be a useful first step in developing and deepening relationships with local and national government.

Links to helpful resources

- [Self-directed Support Learning and improvement Framework.](#)
- The Scottish Government's [Self-directed Support Improvement Plan 2023-27.](#)
- [Working Together for Change.](#)
- [SSSC Step into Leadership.](#)
- The Chartered Institute of Public Finance and Accountancy (CIPFA) [Guidance notes on SDS.](#)
- Improvement Service [Developing Leadership Skills.](#)
- In Control Scotland [Partners in Policymaking.](#)
- For leaders looking to develop their practice, or raise local issues on a national stage, please contact sds.team@socialworkscotland.org or connect with the [PA Programme Board.](#)



Links to further resources

[Self-directed Support Framework of Standards](#)

[Self-directed Support Learning and improvement Framework](#)

[Self-directed Support Practitioner Toolkit](#)

[PA programme board](#)

[PA training framework](#)

[PA employer handbook](#)

[PA handbook](#)

[PA recruitment toolkit](#)

[PA Network Scotland](#)

The Scottish Government's [Self-directed Support Improvement Plan 2023-27](#)

[Support in the Right Direction Funded Projects](#)

[SDSS Get Help with Self-directed Support Tool](#)

Think Local Act Personal '[Understanding Direct Payments](#)' learning series

[European Network on Independent Living \(ENIL\)](#) is a user-led network of disabled people, with members throughout Europe.

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